

RESTRICTION PRESENTED

The claims have been restricted into the following groups of inventions:

<u>Groups</u>	<u>Claims</u>	<u>Subject Matter</u>
I	1-3	drawn to a method for diagnosing cancer by measuring DNA-dependent protein kinase activity.
II	4, 5, 9 and 10	drawn to a kit comprising a peptide substrate.
III	6-8	drawn to a method for determining cancer susceptibility.

APPLICANTS' ELECTION

Applicants hereby elect the invention of Group III claims 6 through 8, drawn to a method for determining cancer susceptibility, for prosecution at this time.

REMARKS

Claims 1-10 are now pending in the subject U.S. patent application. Claims 1-10 as filed have been subjected to a Restriction/Election Requirement.

In response to the Restriction/Election Requirement, applicants have elected the claims of Group III, claims 6-8, for prosecution at this time.

Applicants hereby reserve the right to file one or more divisional patent applications directed to the non-elected subject matter.

Application Serial No.: 10/559,311

CONCLUSION

Should there be any minor issues outstanding in this matter, the Examiner is respectfully requested to telephone the undersigned attorney. Early passage of the subject application to issue is earnestly solicited.

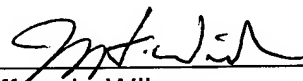
FEE DUE

A check in the amount of \$225.00 is enclosed for the fee due. The Commissioner is authorized to charge any deficiencies of payment associated with the filing of this correspondence to Deposit Account No. 50-0426 to avoid the unintentional abandonment of the instant application.

Respectfully submitted,

JENKINS, WILSON, TAYLOR & HUNT, P.A.

Date: March 1, 2007

By: 
Jeffrey L. Wilson
Registration No. 36,058
Customer No: 25297